

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
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)
) CRIMINAL NO. 05-10155-MLW
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)
JANET SMITH)
THOMAS CABANA)

MOTION TO CONTINUE FINAL STATUS CONFERENCE

Defense counsel have been notified that Assistant United States Attorney Victor Wild is currently on trial before Judge Stearns and will not be available to participate in the status conference scheduled for this matter on Monday November 28, 2005. Defense counsel have no objection to a continuance of the status conference date since the above- mentioned trial also forced the parties to postpone a previously scheduled meeting on November 21, 2005 to informally discuss these cases and the discovery provided thus far by the Government. If the Court allows the requested continuance, defense counsel both agree to exclude the time between November 28, 2005 and the new status conference date for speedy trial purposes. The parties suggest a date during the week of January 2, 2006.

JANET SMITH
By her attorney,

/s/ Glen P. Randall

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